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U.S. Department of Justice

United States Attorney
Southern District of New YorkThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 23, 2007

BY HAND

Honorable Deborah A. Batts
 United States District Court
 Southern District of New York
 United States Courthouse
 500 Pearl Street
 New York, New York 10007

Re: United States v. Josue Mendez et. al., 07 Cr. 533 (DAB)

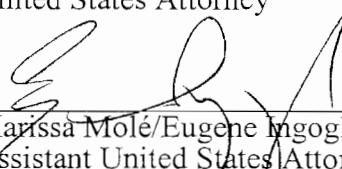
Dear Judge Batts:

A pre-trial conference was previously set in the above-referenced case for October 24, 2007 at 4:30 p.m. The Court has now rescheduled that conference for Monday, October 29, 2007 at 10:30 a.m.

Accordingly, the Government respectfully requests that time be excluded from speedy trial calculations until that date. The Government has produced discovery to the defense counsel, who are reviewing it, and is having discussions about the possibility of disposition with counsel. Seth C. Farber, Esq., William Stampur, Esq. and Charles Hochbaum, Esq. have no objection to the exclusion. The Government has not yet been able to confer with Alan Haber, Esq. about this new date (although a voicemail message was left informing him of the change).

Respectfully submitted,

MICHAEL J. GARCIA
 United States Attorney

By: 
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 Assistant United States Attorneys
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cc: William J. Stampur, Esq. (by facsimile)
 Seth C. Farber, Esq. (by facsimile)
 Charles S. Hochbaum, Esq. (by facsimile)
 Allan P. Haber, Esq. (by facsimile)

MEMO ENDORSED

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